

REMARKS

Claims 1-10 are currently pending. Claim 1 has been amended to more clearly claim the present invention. Claim 2 has been amended to adopt (substantially) the Examiner's suggestion for amendment. Claims 3 and 4, upon further review are believed to be patentably clear on their face without making the amendment suggested by the Examiner. Applicants note with appreciation the indication of allowable subject matter in Claim 3.

On the merits, the Examiner has rejection Claims 1, 4 and 5 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 3,663,870 (Tsutsumi et al.). The arguments advanced in support of this rejection are discussed in page 3 of the Official Action, and not herein repeated.

Further, the Examiner has rejected Claims 1, 6, 7 and 10 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,638,346 (Inami et al.). The arguments advanced in support of this rejection are set forth on page 4 of the Official Action, and not herein repeated.

Finally, the Examiner has rejected Claims 7-9 under 35 U.S.C. §103(a) as obvious over DE 4028062 in view of Inami et al. The arguments advanced in support of this rejection as discussed on pages 5 and 6 of the Official Action, and not herein repeated.

The Tsutsumi citation discloses an apparatus having a field effect transistor, comprising passivation layers at the channel. The statement in the Office Action that this apparatus includes gas-sensitive layers, in particular a plurality of different gas-sensitive layers, as is said to be described in col. 6, lines 18 to 23, is not accurate. The apparatus according to Tsutsumi deals with a semi-conductor apparatus passivated in a special manner and intended for use in a "sputter" process. Tsutsumi, consequently, does not disclose a gas sensor or related subject matter.

PATENT

The Inami citation discloses a field effect transistor for measuring humidity. As stated in the Official Action on page 4 (last three lines), Inami discloses a device for measuring humidity, but offers no suggestions of a gas-sensitive sensor equipped with a field effect transistor.

Applicants note that it is a matter of course for one skilled in the art to perform a humidity measurement independently of a gas measurement, since the cross-sensitivities in this respect are enormous or since humidity sensors may well get wet during use.

Accordingly, the two citations Tsutsumi and Inami disclose, respectfully, field effect transistors having passivation layers for sputtering material, and a humidity sensor having a field effect transistor for measuring humidity. As such, these disclosures represent devices which are entirely different from the present invention.

With regard to DE 4,028 062 A1, it is apparent that the gate is applied directly to the channel region between the source and the drain. Claim 1 is now limited to the disclosed variant wherein the gas-sensitive layer is applied separately, that is to say distanced from the field effect transistor, and therefore, it lies opposite the channel or gate region of the field effect transistor so as to form an air gap in which a gas may enter.

In view of the foregoing amendment and remarks, Applicants respectfully request reconsideration of the pending claims.

Respectfully submitted,

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